

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MYKAEL THOMAS PIERCE,

Defendant.

4:16CR3014

ORDER

Defendant has moved for release to reside with third party custodians and resume employment, or to attend residential drug treatment. (Filing No. 25). The pretrial services report, (Filing No. 10), outlines Defendant's substantial criminal history, including numerous violations of court-imposed supervision and failures to appear for court proceedings, and his past participation in multiple substance abuse treatment programs, both while in custody and at residential treatment facilities. While previously on supervised release after serving a federal sentence, he started but failed to complete NOVA because he violated the conditions of his release. And during the pretrial interview in this case, Defendant stated, "I work best in structured programs. If on pretrial release, with somebody's thumb on me, I would probably do great." The court agrees.

Defendant's history indicates constant supervision is necessary to assure that Defendant will not pose a risk of harm to the public and will attend all court proceedings. But neither the court, nor diligent and dedicated third party custodians or drug treatment facilities, can constantly monitor Defendant's conduct.

Accordingly,

IT IS ORDERED that Defendant's motion for release, (Filing No. 25), is denied.

June 21, 2016.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge